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Attorneys for Debtors and Debtors in Possession

**UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION**

In re:

PG&E CORPORATION,

- and -

**PACIFIC GAS AND ELECTRIC
COMPANY,**

Debtors.

- ☐ Affects PG&E Corporation
☒ Affects Pacific Gas and Electric Company
☐ Affects both Debtors

** All papers shall be filed in the lead case,
No. 19-30088 (DM)*

Bankruptcy Case
No. 19-30088 (DM)

Chapter 11
(Lead Case) (Jointly Administered)

**STIPULATION BETWEEN PACIFIC GAS
AND ELECTRIC COMPANY AND
MICHAEL MARROQUIN ADJOURNING
MOTION TO ABSTAIN AND FOR
RELIEF FROM THE AUTOMATIC STAY**

[Relates to Dkt. Nos. 4606-10, 4874, 4888]

Regarding Motion Set for Hearing April 7,
2020 at 10:00 am PST

1 This stipulation (the “**Stipulation**”) is entered into by and between Pacific Gas and Electric
2 Company (the “**Utility**”), as debtor and debtor in possession, and movant Michael Marroquin
3 (“**Marroquin**”). The Utility and Marroquin are referred to in this Stipulation collectively as the
4 “**Parties**,” and each as a “**Party**.” The Parties hereby stipulate and agree as follows:

5 **RECITALS**

6 A. The Utility and its parent, PG&E Corporation (collectively with the Utility, the
7 “**Debtors**”), filed these Chapter 11 Cases on January 29, 2019.

8 B. On November 7, 2019, Marroquin filed the *Motion to Abstain and for Relief from*
9 *the Automatic Stay to Permit Lawsuit to Proceed to Trial and Conclusion* [Dkt. 4606] (the
10 “**Motion**”).

11 C. Through the Motion, Marroquin seeks relief from the automatic stay to prosecute
12 his personal injury claims against the Utility in *Marroquin v. Pacific Gas & Electric Company et*
13 *al.*, Case No. BCV-18-100020 (the “**State Court Action**”) pending in the Superior Court of
14 California, County of Kern. The State Court Action arises out of injuries that Marroquin allegedly
15 suffered resulting from a May 25, 2017 automobile crash in which the other driver was an
16 employee of the Utility. The Utility employee is also a named defendant in the State Court Action.
17 Marroquin filed the State Court Action on January 4, 2018.

18 D. The Utility filed a Notice of Stay of Proceedings in the State Court Action on
19 February 11, 2019. On April 3, 2019, this Court extended the automatic stay to the Utility’s
20 employee. *See* Adv. Proc. 19-03006, Dkt. No. 33.

21 E. On November 26, 2019, the Parties entered into the Stipulation between Debtor
22 Pacific Gas and Electric Company and Michael Marroquin to Continue Hearing and for Limited
23 Relief from the Automatic Stay [Dkt. No. 4874] (the “**First Stipulation**”), by which they agreed
24 to continue the Hearing to March 25, 2020, and to modify the automatic stay, to the extent
25 necessary, to permit the Parties to engage in settlement negotiations with respect to the State Court
26 Action. On November 27, 2020, this Court entered an order approving the First Stipulation. *See*
27 Dkt. No. 4888.

1 F. On March 16, this Court further continued the Hearing to April 7, 2020.

2 A. The Parties have agreed to the essential terms of a settlement of Marroquin's claims
3 in the State Court Action, subject to preparation and execution of mutually acceptable
4 documentation.

5 **NOW, THEREFORE, IT HEREBY IS STIPULATED AND AGREED BY AND**
6 **BETWEEN THE PARTIES, THROUGH THE UNDERSIGNED, AND THE PARTIES**
7 **JOINTLY REQUEST THE COURT TO ORDER, THAT:**

8 1. This Stipulation shall be effective upon entry of an order by this Court
9 approving it.

10 2. The April 7, 2020 Hearing shall be taken off calendar.

11 3. Marroquin may at any time reset the Hearing on at least 21 days' notice.

12 4. This Court shall retain jurisdiction to resolve any disputes or controversies
13 arising from this Stipulation or the order approving it.

14 Dated: March 26, 2020

Dated: March 26, 2020

15 WEIL, GOTSHAL & MANGES LLP
16 KELLER BENVENUTTI KIM LLP

LAW OFFICES OF LEONARD K.
WELSH

17 /s/ Peter J. Benvenutti
18 Peter J. Benvenutti

/s/ Leonard K. Welsh
Leonard K. Welsh

19 *Attorneys for Debtors*
20 *and Debtors in Possession*

Attorneys for Michael Marroquin